

# CITY OF READING

## Code & License Appeals Board

# Thursday, December 8, 2022 3 pm Virtual Meeting Agenda

Due to the COVID-19 pandemic the public is prohibited from physically attending the meetings. The meetings can be viewed LIVE while the meeting is taking place via the Zoom link below, via the dial-in phone number and on Facebook. The recordings of the meeting will also be posted on the City's website after the meeting

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

https://readingpa.zoom.us/j/87033180613?pwd=Qm50bjFQZXFWMDR6MDM1S0J1Ym50UT09

#### Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 931 3860 Webinar ID: 870 3318 0613

Passcode: 566463

- I. Call to Order Board Solicitor
- II. Purpose Board Solicitor
- III. Overview City Code Chapter 576, Part 13 Motorized Devices and All-Terrain Vehicles Solicitor
- IV. Police Department Request for Forfeiture & Destruction of the Seized Vehicle re § 576-1306. Enforcement.
- V. Board Consideration of the Police Department's Recommendation & Request
- VI. Adjourn

#### § 576-1306. Enforcement.

#### [Amended 10-11-2021 by Ord. No. 74-2021]

- A. Penalties. The penalty for a violation of this section relating to the operation of motorized devices and all-terrain vehicles shall be forfeiture of the vehicle. Automatic forfeiture shall apply to all subsequent violations of this section.
- B. Notices of violation and a seizure notice shall be issued by the Police Department. Contested charges shall be resolved, penalties shall be imposed, and payments shall be collected and processed by the Police Department.
- C. Seizure. In addition to the notice of violation, whenever a police officer has probable cause to believe a vehicle has been used or is being used in violation of this section, the officer may seize the vehicle. The vehicle shall be stored at a secure location as determined by the Public Works and Police Departments until the final adjudication of the offense.
- D. Forfeiture. Forfeiture, other than voluntary forfeiture (as set forth below) by the owner, of the impounded vehicle shall be approved or rejected by the Code and License Appeals Board though an appeal by the defendant or vehicle owner. If an appeal hearing is not requested within ten (10) days of the receipt of the seizure notice, the Police Department shall issue a list of vehicles with a copy of the violation notices and seizure notices to the Code and License Appeals Board for approval or rejection.
- (1) If forfeiture is not awarded, the Police Department shall return the vehicle to the owner after:
- (a) The owner pays all penalties and fees for the seizure, tow and storage of the vehicle defined herein; and
  - (b) The owner provides proof of registration, title and proof of insurance.
- (2) If forfeiture is awarded, the Police Department shall dispose of the vehicle in an appropriate manner which may include destruction of the vehicle to reduce the opportunity for the vehicle to be used in any manner that would violate this section.
- (3) If the Police Department cannot identify the legal owner of the impounded vehicle within 45 days, the Department shall file a request for forfeiture that includes the methods used to determine the ownership of the vehicle with the Code and License Appeals Board. The Board shall approve or reject the request at their next meeting. If the request is approved the vehicle(s) shall be immediately destroyed.
- E. Voluntary Forfeiture. Any person to whom a ticket is issued may, if he provides proof that he is the registered owner of the vehicle, within ten (10) days of receipt of the seizure notice, agree to forfeit the vehicle in lieu of contesting the violation and in lieu of other fines and penalties or file an appeal with the Code and License Appeals Board.

# § 576-1307 Vehicles Seized Prior to the Effective Date of this Part. [Amended 10-11-2021 by Ord. No. 74-2021]

Notices of seizure shall be issued to the owners of vehicles that have been seized prior to the effective date of this Part by certified and first class mail notifying the owner that he/she has 30 days to claim the vehicle as per  $\S \frac{576-1306}{576-1306}$  D.(1) above or appeal the seizure to the Code and License Appeals Board as per  $\S \frac{576-1306}{576-1306}$  B. (1) above. Failure to take either action by the owner of the vehicle shall result in the Police Department making a request for forfeiture to the Code and License Appeals Board as per  $\S \frac{576-1306}{576-1306}$  D. (3) above.

Failure to take action shall result in the City of Reading Police Department making a request for the forfeiture of the ATV/Dirt Bike to the Code and License Appeals Board. This may result in the destruction of the ATV/Dirt Bike vehicle.

#### City of Reading Code and License Appeals Board ATV / Dirt Bike Seizure Appeal Form

Name (print first, r	middle & last):		
Address:			
Date of Birth:			
Cen Phone #:			
Email Address:			
	ele that was seized, include year,		
Attach copies of v	ehicle's Title, PennDOT or DCN		
	l circumstances, with satisfactory plain how the vehicle came into the		was in someone else's
Explain why the v	ehicle was seized.		
swear under penalty and belief.	of perjury that all of the information	provided is true and correct	to the best of my knowledge
-	Signature	- Date	



## CITY OF READING, PENNSYLVANIA

POLICE DEPARTMENT 815 WASHINGTON STREET READING, PA 19601-3690 (610) 655-6116

RICHARD TORNIELLI
CHIEF OF POLICE

Date: Name: Address:	PHONE: (610) 655-6294 Monday through Friday 8:00 A.M. to 2:30 P.M. After 2:30 PM leave a message. If you would like to make an appointment via e-mail please send an e-mail to trafficlawenforcementunit@readingpa.gov.										
Dear	Report #:  Certified Mail #:										
According to the Pennsylvania Department of Transportation records and/or RPD Assignment  # the vehicle listed below is registered/owned by you.											
Date of Seizure: Vehicle Make/Model: Vehicle Registration: Vehicle Identification Number:											
The vehicle referenced above was impounded by the City of Reading Police department for violations of the City of Reading Traffic Code and/or other code violations. The vehicle is being stored at a City impound facility.											
To claim the vehicle bring the vehicle's title, registration with PennDOT or the DCNR and proof of insurance to the Desk Sergeant at 815 Washington Street, Reading, PA within 30 days of this notice.											
To appeal the seizure of the vehicle return the completed appeal form attached to this notice to the Property Maintenance Division, 815 Washington Street, Reading PA within 30 days of this notice and a hearing with the Code and License Appeals Board will be scheduled.											
Failure to take either action by the owner of the vehicle shall result in the Police Department making a request for forfeiture to the Code and License Appeals Board which may result in the destruction of the vehicle.											
It is in your best interest to respond to this letter as	s soon as possible.										
Sincerely,											
Audra Schreiner Administrative Assistant Traffic Law Enforcement Unit	ATV/DB-1 (11/21)										

FAX: (610) 655-6392 TDD: (610) 655-6442

d Vehicle Destroyed Notes	BEI	5/11/2003	2/11/2022	2/11/5077	5/11/2022 Sent for Destruction	5/11/2022 No registered owner/No suspect	5/11/2022 Sent for Destruction	5/11/2022 No Renort in RMS					5/11/2022 Sent for Destruction	5/11/2022 No registered owner/No suspect					2/11/5055	5/11/2022	2; 2/3/: 5/11/2022 Sent for Destruction	ird Ret 5/11/2022 Sent for Destruction	5/11/2022 No registered owner/No suspect	5/11/2022	5/11/2022 No registered owner/No suspect		5/11/2022 Sent for Destruction		RELEASED TO CONNER ROLL SOCIETY	5/12/2022 Sent for Destriction			1000			-	Line	PET TO OWNER OF A TO OWNER OWNER OF A TO OWNER OWN	5/12/2022	5/12/2022		5/12/2022 Sent for Destruction	5/12/2022	5/12/2022		5/12/2022 Sent for Destruction	2400	-	5/12/2022 No relistered owner/No strated			REFEASED TO OWNER 12/09/2021	BELEASED TO MANNED ACTUAL TO SELECT TO THE S	No AVVIDTR Rice Recovered	No registered owner/No suspect	Vehicle was a Motorized Scooter not an ATV/Dirt Bike. Returned to Property Division for Destruction.	RELEASED TO OWNER 12/29/2021
Ran Car Fax Ran Letters Sent Certified Mail Returned	12/15/2021		1202/02/21	12/21/21		021 12/15/2021	021 12/22/2021 1/11/2022 Card Returned 1/21/2022		021 12/15/2021 12/22/2021 Card Returned 1/4/2022	12/22/2021 12/22/2021	12/15/2021	1707/01/21		021 12/15/2021	021 12/15/2021 12/22/2021	12/15/2021			12/12/2021	12/15/2021 12/22/2021		021 12/16/2021 12/28/2021 Card Returned 1/6/2022/Card Reti	021 12/16/2021		021 12/16/2021	12/16/2021	021 12/16/2021 12/28/2021 Letter Returned 2/3/2022	024 12/16/2024	024 12/16/2021		12/16/2021	12/16/2021 12/28/2021		021 12/16/2021 12/28/2021 Letter Returned 1/25/2022	12/16/2021	12/16/2021		1202/82/21	12/22/2021 1/11/2022	12/16/2021 12/28/2021	12/16/2021	12/28/2021	12/28/2021 Letter Returned 1/12/2022/1/25/;	12/16/2021	924 12/16/2024	021 12/16/2021 12/28/2021 Card Returned 1/6/2022	12/16/2021	921 12/16/2024 12/28/2024 Card Returned 1/19/2022		021 12/16/2021	021 12/16/2021			ı	2 8/31/2022		322 10/14/2022
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pe		2021-18197 Real Tree Mini Bike / RT100 Camo	2021-15483 Yamaha	R			Iao		2021-19498 SSR	2021-19498 Honda	2021-19665 Honda	2021-21417 Honda			2021-22560 Real Tree Mini Bike / RT200 Camo	2021-22596 Scooter	2021-22956 Suzuki	MTX 2021-22956	100	Inknoum	UNKNOWN	Vento	Suzuki		8	20000			2021-36350 Gate	2021-36369 Honda	2021-36882 Yamaha 4 Wheeler	2021-37389 Honda	2021-37608 XY1ST Moped	2021-37760	2021-38925 SSR	2021-38945 Moped	2021-39070 Yamaha 4-Wheeler	2021-39469 Yamaha 4-Wheeler	2021-39654 Cool Sports Moped	2021-40822 Yamaha	2021-40822 Suzuki	2021-41499 Moped		2021-41522 Suzuki	Yamaha	2021-43592 Honda 4 Wheeler	2021-44410 Kawasaki	2021-44410 4-Wheeler	2021-44410 Yamaha	2021-44410	2021-44606 Coleman Mini Bike	2021-44606 Real-Tree Mini-Bike	2021-47869 Yamaha	2021-56126	2021-57169 Polaris Sportman		2021-61570 Yamaha Dirt-Bike